

Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Texas

FILED

May 16, 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY: sec
DEPUTY

United States of America)

v.)

James Wesley Burger)

Case No.

1:25-mj-00583Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 23, 2025 in the county of Williamson in the
Western District of Texas, the defendant(s) violated:*Code Section*
18 U.S.C. 875(c)*Offense Description*
Threats communicated in interstate commerce

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.

Complainant's signature

FBI Special Agent Carletta Carter

Printed name and title

Sworn to via telephone pursuant to F.R.C.P. 4.1.

Date: May 16, 2025

Judge's signature

City and state: Austin, Texas

Mark Lane, U.S. Magistrate

Printed name and title

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

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SEALED

UNITED STATES OF AMERICA

v.

JAMES WESLEY BURGER

Defendant.

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NO. **1:25-mj-00583**

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Carletta Carter, Special Agent, Federal Bureau of Investigation, Austin, Texas, being duly sworn, depose and state the following:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since July 5, 2020. My duties involve the investigation of a variety of violations of federal offenses including threats to life, acts of domestic terrorism, acts of international terrorism, and other violations of federal law. I have completed approximately five months of basic and specialized training at the FBI Academy, Quantico, Virginia. During that time, I received formal training and have gained experience in interviewing and interrogation techniques, arrest procedures, search applications, the execution of search and seizures, and various other criminal laws and procedures. I am an “investigative or law enforcement officer of the United States” within the meaning of Section 2510(7) of Title 18, United States Code, that is, an officer of the United States who is empowered by law to investigate and make arrests for offenses alleged in this warrant.

2. My knowledge is based on my participation in the investigation, discussions with other law enforcement agents, and a review of reports and other documentary evidence. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant

and does not set forth all of my knowledge about this matter. All statements are set forth in sum and substance and relevant part. All quotations or transcriptions of interviews are in draft form and subject to revision.

3. Based upon the facts set forth below, I submit there is probable cause to believe that, on or about January 23, 2025 within the Western District of Texas and elsewhere, Defendant James Wesley BURGER did violate 18 U.S.C. § 875(c) by transmitting in interstate commerce any communication containing any threat to injure the person of another.

FACTS

4. The United States is investigating BURGER for making threats via the Roblox gaming platform to attack a Christian concert or event.

Report of the Threat by a Witness

5. On or about January 23, 2025, the FBI received a report from an individual located in the State of Nevada (the “Witness”) of a possible domestic terrorist incident being discussed on Roblox by user “Crazz3pain.” On or about January 21, 2025, the Witness observed the user of Crazz3pain state they were willing, as reported by the Witness, to “kill Shia Muslims at their mosque.” Crazz3pain and another Roblox user (Roblox User 1), continued to make violent statements so the Witness left the game but returned to the game on or about January 23, 2025. The Witness observed Crazz3pain tell Roblox User 1 to check their messages on Discord. Roblox User 1 replied on Roblox to Crazz3pain, they should delete the photograph of firearms within the unknown Discord chat, “in case it was flagged as suspicious... the firearms should be kept hidden.” Crazz3pain continued to speak on Roblox to Roblox User 1 about their desire to commit “martyrdom” at a Christian event that he wanted to bring humiliation to worshippers of the cross. When the Witness asked Crazz3pain if it was going to be at a church service, Crazz3pain told them no, it was going to be at a Christian concert. When Crazz3pain was asked when it would be,

Crazz3pain said “it will be months... Shawwal... April.” Based on my training and experience, I know Shawwal is the tenth month of the Islamic calendar and follows Ramadan. It corresponds to approximately March 31, 2025, to April 28, 2025. The Witness observed messages from Crazz3pain stating they owned at least one firearm. The following are certain screenshots provided by the Witness though not all of the communications were captured.



6. Based on billing information provided by Roblox, the name associated with the Crazz3pain account was James W BURGER, with an address in Round Rock, TX, and a Gmail

email address. Roblox also provided account internet protocol (IP) address access logs showing access to the account from the San Antonio and Austin, TX area. This corroborates BURGER being within the Western District of Texas at the time he made threatening statements as Roblox user Crazz3pain.

Search of BURGER's Residence and Interview of BURGER

7. On or about February 28, 2025, investigators executed a search warrant at BURGER's residence. Among other things, agents recovered computers and an iPhone. During interviews conducted in connection with the search, agents learned that one of BURGER's family members had installed a keystroke logger (or keylogger) program on BURGER's computer. Based on open resource review of the keylogger company's website, I have learned that this software is capable of collecting chat and email messages sent, websites visited, online searches, and social networking activity, passwords entered, file and document activity, and application activity. When the software captures what an individual types, it also records when the user deletes and retypes words or phrases. The software stores the keystroke logs on the monitored computer itself. The administrator of the computer then has to access the software directly on the monitored computer to view the captured activity logs. The software can be configured to send email reports to the administrator/user's email address specified. One of BURGER's family members provided the keystroke logs to the FBI.

8. On or about January 27, 2025, the keystroke logger software recorded an individual accessing RobloxPlayerBeta.exe. I know that is a program used to access the Roblox platform. As noted below, during an interview with law enforcement, BURGER admitted to using this laptop to play Roblox and there is thus probable cause to believe he was the user. BURGER typed the following at approximately 7:03 pm: "r

wwwawdasssssssssssssssssssawwwadddawdsadd/Ibn Isa ({Backspace}]* /As salaamu alaykom /I've come to conclude it will befall the 12 of Shawwal aa/And it will be a music festival /Attracting bounties of Christians s/In'shaa'allah we will attain martyrdom /And deal a grievous wound upon the followers of the Cross /Pray for me and enjoin yourself to martyrdom /There In'shaa'allah ya Rabb al-Mu'mineen a". An employee of the keylogger software company has confirmed that "/" refers to a user hitting the "Enter" key and thus I believe these statements were communicated and not merely typed on the computer. After comparing the keystroke logs with the report to the FBI by the Witness, the above statement was not the original threat, but an additional threat BURGER made on Roblox, similar to the one the Witness reported. The language, however, is consistent with BURGER's statements as captured by the Witness.

9. For the date and time that the Witness reported they encountered BURGER on Roblox, there were no keystroke logs reported, indicating BURGER used a different device such as his iPhone to access Roblox. I observed cookie data obtained from BURGER's iPhone and found that, at 1:13:55 a.m. UTC on January 24, 2025, BURGER accessed Roblox. The Round Rock, Texas area falls inside the Central Time Zone and the date was before daylight savings time. The time thus translates to approximately 7:13 p.m. on January 23, 2025. The corresponding date for the threat reported by the Witness is estimated to have been around that time on January 23, 2025. I believe this data corroborates BURGER's use of Roblox at the time the Witness reported encountering Roblox user Crazz3pain (BURGER).

10. During the premises search warrant execution, BURGER agreed to speak voluntarily with agents while seated in his living room. He was advised that he was not in custody and that the interview was voluntary. He was afforded the opportunity to pause the interview and leave the room to pray.

11. Asked about the goals of the threat against a Christian concert, BURGER stated: “[A]t the time it was mostly a heightened emotional response... but it certainly doesn’t take away from the fact that you know that [] is . . . the concept of what would have occurred . . . the deaths of, of Christians . . . that’s not something that’s going . . . be shunned or, or shied away from . . . the details definitely . . . became exaggerated which . . . the end, end goal it’s still the same . . . it hasn’t shifted a bit. . . . [T]o obey and... submit and live under the banner and laws of God or . . . to literally die trying. . . . So that’s the end goal. . . . [G]et the hell out of the US and . . . if I can’t . . . then, martyrdom or bust.”

12. Regarding the intention behind the statements made by Crazz3pain, BURGER stated: “[T]he intention . . . and the action is something that is meant to or will cause terror. . . . I cannot agree with the term terrorist, you know, I definitely agree that it serves the same means that a terrorist would be seeking.” Asked whether he was a terrorist, BURGER said: “I mean, yeah, yeah. By, by the sense and . . . by my very own definition, yes, I guess, you know, I would be a terrorist.”

13. BURGER was also asked whether he mentioned specific guns in his online statements, and he said: “I think the closest I mentioned was mentioning I would use like . . . a pistol or a car or like a small hunting rifle. Something like that. I don’t remember mention of like a shotgun.” Asked whether he would be looking to acquire a rifle to carry out an attack: “Yes. Pretty much.”

14. During the interview, BURGER was shown photographs provided by the Witness of the conversation between Crazz3pain and two other Roblox users discussing an attack at a Christian concert. Although BURGER at one point told case agents that he owned the account Crazz3pain and provided Agents the password, when shown the photograph, BURGER attempted to say he was not the user of Crazz3pain. I began referencing the statement the Witness told the

FBI that they saw Crazz3pain make on Roblox, I said to BURGER, "...I have an ongoing conversation, and in the conversation, you talk about dealing a grievous, grievous- wound to followers of the cross. So you were able to just put, input that sentence, so that was you that made that statement." When I said the word "grievous," BURGER said the word "wound," indicating he was aware of that specific statement. BURGER stated, "huh how do you mean?" I said, "you made that statement?" BURGER stated, "Yeah, yeah, yeah, yeah."

15. Although he attempted to argue that he used the Crazz3pain account in conjunction with another person, BURGER admitted, "Yes, I used that account, and yes, I've made similar statements."

Corroborating Information from BURGER's Electronic Devices

16. A search of BURGER's electronic devices provided further corroborating evidence of his use of the Crazz3pain Roblox account and his intent:

- a. On an Apple iPhone, the Notes application allows a user to record quick thoughts or to save longer notes consisting of checklists, images, web links, scanned documents, handwritten notes, or sketches. Two notes explained how to prevent leaving any DNA or fingerprints behind, the third note in the application was titled, "An address to the followers of the cross" and stated the following: Bismillah Hir-Rahmaan Nir-Raheem¹... "O Kuffar²! You are ruthless but we are also ruthless. Did you think that we would remain inattentive? Did you believe we would not repay you in your lands upon your terms, as you did whilst you raped the Umma of its glory and honor and subjected it to a state of weakness and humility humiliation

¹ Bismillah Hir-Rahmaan Nir-Raheem translates to "In the name of God, most gracious, most merciful."

² Based on my training and experience, I have learned that "Kuffar" refers to people who are unbelievers or disbelievers, specifically those who reject the faith of Islam.

and corruption? Verily³ today has brought a great wound upon you and has paralyzed your media and whatever you possess of temporary might and power!”

I believe these statements were written by BURGER and corroborate statements he made as Crazz3pain.

b. A search of BURGER’s Apple iPhone showed searches for, among other things, the following:

- i. “Lone wolf terrorists isis”
- ii. “Lone wolf truck isis propaganda”
- iii. “Which month is april in islam”
- iv. “Festivals happening near me”
- v. “are suicide attacks haram in islam”
- vi. “ginger isis member”
- vii. “38 round,” “M14,” “g43x,” “.223,” “g19,” “p80,” “972 magazine,” “.45,”
“WASR .45,” “WASR gun”⁴
- viii. “kill the disbelievers where you find them quran”
- ix. “kill cops not trees”
- x. “what is the most effective knife type”
- xi. “what is the punishment for the one who insults allah or his messenger”
- xii. “can tou kill a woman who foesnt wear hijab”
- xiii. “Is abu bakr apart of ahlul bayt”⁵

³ Verily is an old-fashioned adverb meaning in truth or indeed.

⁴ These searched terms are types of firearms or ammunitions

⁵ Abu Bakr al-Baghdadi was a leader of ISIS, and served as its first caliph from 2014 until his death in 2019.

- c. Web browser autofill data for BURGER's laptop showed saved information for the Gmail account associated with the Crazz3pain Roblox account and other accounts. That indicates BURGER was the user of these accounts relevant to the crimes under investigation.
- d. BURGER searched for "iskp claims suicide attack on shia" and I have learned that ISKP is the abbreviation for Islamic State Khorasan Province (ISKP), a designated foreign terrorist organization. BURGER also searched for mosque attacks and ISIS bombings.
- e. BURGER took screenshots of his user name, crazz3pain, being banned from Roblox. According to BURGER in the interview, being banned in Roblox was a familiar occurrence.

CONCLUSION

17. Based on the facts set forth above, I submit there is probable cause to believe that, on or about January 23, 2025, within the Western District of Texas and elsewhere, James Wesley BURGER committed violations of 18 U.S.C. § 875(c) and that the Court should issue a warrant for his arrest.


FURTHER AFFIANT SAYETH NAUGHT.

Affiant declares under penalty of perjury that the foregoing is true and correct to the best of Affiant's knowledge and belief.



Carletta Carter
Special Agent
Federal Bureau of Investigation
Austin, Texas

Subscribed and sworn to via telephone per Federal Rule of Criminal Procedure 4.1 on this
16th day of May, 2025.



MARK LANE
UNITED STATES MAGISTRATE JUDGE